

JAMES A. LUNDBERG, ESQ. **FMCS-3167**
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Present Occupation: Labor Arbitrator

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PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators
Industrial Relations Research Association (Oregon Chapter)
Minnesota Bar Association
Hennepin County Bar Association

EDUCATION:

J.D. William Mitchell College of Law – 1982
M.A. University of St. Thomas – Special Ed. – 1976
M.A. University of St. Thomas – Social Studies Ed. – 1973
B.A. University of Minnesota – Magna Cum Laude (Pol. Sci.) – 1972

CERTIFICATIONS: Licensed to Practice Law in Minnesota, 1982 – Certified District Court Mediator & Arbitrator in MN, 1990 – Previously Licensed in MN as teacher '73, in Real Estate '75 & in Securities '78.

ARBITRATION/LABOR RELATIONS EXPERIENCE:

Engaged in full time practice as a Labor Arbitrator, since 1995. I have conducted more than 600 labor arbitrations. Practice was divided between Labor Arbitration, ADR and civil litigation from 1984 through 1995. Interned as Labor Arbitrator and engaged in the General Practice of Law, primarily civil litigation 1982-1984. I have served as grievance arbitrator, interest arbitrator and fact-finder. I have conducted expedited arbitrations. In addition to my experience as a Labor Arbitrator I have conducted over 150 arbitrations for the securities industry, more than 100 commercial arbitrations, more than 100 arbitrations referred from District Court and more than 300 No-Fault Arbitrations. I serve the private sector, public sector and Federal Sector. I have conducted hearings in 19 states: Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming.

Hearing Officer for Minnesota Public Employment Relations Board – Unfair Labor Practices.

INDUSTRIES:

Aero-space, agriculture, Air Force contracts, aluminum smelting, asphalt shingle production, automotive, baking, beverage (soft drink industry and alcoholic beverages), broadcasting, building products, canning, cement, charitable hospitals, chemical production, coal fired electrical, communications, community hospitals and health care centers, computer and electronic components, concrete distribution, correctional facilities (Federal, State, Local), corrugated paper, electric utilities, entertainment, Federal Sector, food distribution, food processing, food vendors serving public transportation, foundry, grain mills, grocery, health care, hospitality, hotels, just in time job shops, laboratory research units, law enforcement (State and Local), machining, maritime, meat and poultry slaughter and packing, mining, mental health facilities, metal fabrication, newspaper distribution, nuclear power production, nuclear storage, nursing homes, office staff, organizations, packaging, paint and varnish, paper, petroleum refining, printing, public transportation, pulp, restaurant, road construction, school districts and teachers, administrators and support staff, security

services, state and local government, stud production, transportation lines, trucking, upholstering, vending, weather service, wood particulate.

ISSUES:

Absenteeism, ADA issues, alcohol and drug testing, alter-ego corporation, arbitrability, assignments, bargaining unit work, bumping, conduct off duty, contracting out, demotion, discipline (non-discharge), discipline (discharge), discrimination (age, disability, national origin, race, sex), fringe benefits (FMLA issues, funeral leave, holidays, insurance, leave of absence, vacation), health and hospitalization, job performance, job posting and bidding, jurisdiction, language interpretation, layoff, lockouts, managements rights, official time, past practice, pension, promotion, reappointment, recall, safety and health, schedules, seniority, sexual harassment, slow downs, strikes, subcontracting, tenure, theft, union security, violence and threats of violence , wages (compensatory time off, cost of living, holiday pay, incentive pay, merit pay, out of classification, overtime pay, severance, vacation pay), workhouse, working conditions, work orders.

PERMANENT PANELS:

Hormel and UFCW – Austin, MN Plant
Minneapolis, MN Police Department and Minneapolis Police Federation
City of Minneapolis and all unions
Alaska Railroad and UTP
U.S. Customs and Border Protection and National Treasury Employees Union
State of Oregon and SEIU Local 503, OPEU and State of Oregon – Human Services and SEIU
State of Minnesota and MAPE – State of Minnesota and Middle Management Employees
U.S. Postal Service R-399 Regional with NPMHU and APWU
TSA and AFGE
FAA and NATCA (PAR)

ARBITRATION ROSTERS:

FMCS Region #3 – Minneapolis, MN
FMCS Region #1 – Seattle, WA
Minnesota BMS
Wisconsin WERC
Iowa PERB
Oregon ERB
Washington PERC
Kansas Public Employment Roster
Montana Public Employment Roster

PUBLISHED CASES:

96-2 ARB 6357, 104 LA 289, 104 LA 281, 105 LA 1152, 11 LA 94

PER DIEM FEE: \$1,750.00 *The per diem fee of \$1,200.00 (for up to 8 hours) is charged for grievance arbitration, interest arbitration and fact finding hearings, research and study, review of record, deliberations and drafting.*

CANCELLATION: \$1,750.00 *for each canceled/continued hearing date. Cancellation Fee of \$1,750.00 is charged for each hearing day canceled. Out of pocket expenses, including non refundable airfare or re-booking fees are also charged.*

EXPENSES: *are billed for the cost of reasonable expenses, including airfare, rental car, food and lodging. Actual cost of copying, phone, clerical assistance and secretarial assistance. Automobile mileage is charged at applicable IRS expenses rate. Travel time: at \$1,750.00 per day for up to 8 hours.*

THIS ARBITRATOR CHARGES TRAVEL FROM THE NEAREST BUSINESS ADDRESS.